

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

:JEFFREY-MERRITT : WILSON,

Plaintiff,

v.

NBS DEFAULT SERVICES, LLC,

Defendant.

Case No. [16-cv-06253-BLF](#)

**ORDER DENYING REQUEST FOR  
 CLARIFICATION REGARDING  
 JURISDICTION; REGARDING  
 ADMINISTRATIVE DUTY;  
 REGARDING AFFIDAVITS;  
 REGARDING PUBLIC TRUST**

[Re: ECF 26]

Presently before the Court is Plaintiff :Jeffrey-Merritt : Wilson’s request for clarification regarding jurisdiction; regarding administrative duty; regarding affidavits; regarding public trust with respect to the Court’s orders regarding ECF 14, 17, 18, 19, 20, and 23 (collectively, “requests for judicial notice”). *See* Request, ECF 26. The Court construes this as a motion for clarification of the Court’s previous orders denying Plaintiff’s requests for judicial notice. Having carefully reviewed this matter, Plaintiff’s motion will be denied for the reasons explained below.

“A court may clarify its order for any reason.” *Wahl v. Am. Sec. Ins. Co.*, No. C 08-0555, 2010 WL 2867130, at\*3 (N.D. Cal. July 20, 2010). This type of request “invite[s] interpretation, which trial courts are often asked to supply, for the guidance of the parties.” *Bordallo v. Reyes*, 763 F.2d 1098, 1102 (9th Cir. 1985). From this, it is apparent that the clarification process presumes some legitimate need supporting relief, such as the existence of ambiguity or confusion that can be corrected with further explanation. But where an order or direction of the court is clear, it follows that clarification is unnecessary.

On December 2, 2016, the Court issued an order denying Plaintiff’s mandatory judicially noticed evidence. Order, ECF 15 (denying ECF 14). On January 3, 2017, the Court issued an order denying Plaintiff’s request that the Court take judicial notice of the following documents: (1)

1 Default of Claim Administrative Remedy, ECF 17; (2) Default of Claim Administrative Remedy,  
 2 ECF 18; (3) “Affidavit of Truth” Re: Habeas Corpus, ECF 19; and (4) Appointment of Fiduciary,  
 3 ECF 20. Order II, ECF 22. On January 6, 2017, the Court issued a third order denying yet  
 4 another mandatory judicial notice entry on the record of self-authenticated evidence, ECF 23.  
 5 Order III, ECF 24. Presumably in light of these orders, Plaintiff requests that the Court clarify the  
 6 following: (1) the jurisdiction of this Court, as it is Plaintiff’s “belief that this is an Article III  
 7 Court of Record or an Administrative-Law-Tribunal in Admiralty which would be operating with  
 8 the rule of the Uniform-Commercial-Code”; (2) “[a]dministrative [r]emedy [p]rocedure and  
 9 [d]uty”; (3) the “dishonor[ing]” of his writ for habeas corpus; and (4) the “dishonor[ing]” of his  
 10 fiduciary appointment. Request 2–3.

11 Within the framework stated above, however, the Court finds the request misplaced for  
 12 two reasons. First, nothing in the three aforementioned orders requires clarification, as they are  
 13 neither confusing, incomplete, nor ambiguous. In the December 2, 2016 order, the Court denied  
 14 Plaintiff’s request that the Court take judicial notice of “International Commercial Claim  
 15 Administrative Remedy” because Plaintiff filed the request without an underlying motion and  
 16 because the document did not appear to be of the type subject to judicial notice. Order. In the  
 17 January 3, 2017 order, the Court denied Plaintiff’s request that the Court take judicial notice of the  
 18 documents at ECF 17–20 for the same reasons it denied Plaintiff’s prior request—there was no  
 19 underlying motion and because the documents did not appear to be of the type subject to judicial  
 20 notice. Order II, at 1. The Court also denied Plaintiff’s request for judicial notice of appointment  
 21 of fiduciary, in which he “nominate[d] and [ ] appoint[ed] Beth Labson Freeman / BETH  
 22 LABSON FREEMAN, a Judge or successor Judge as being qualified to fulfill the position of the  
 23 public ‘Fiduciary/Trustee’ for the corporate entity described [ ] in all-capital-letter assemblages =  
 24 JEFFREY MERRITT WILSON, TRUST[,]” because he provided no authority for taking this  
 25 action. Finally, in the January 6, 2017 order, the Court again denied Plaintiff’s request that the  
 26 Court take judicial notice without an underlying motion. Order III. No further instruction is  
 27 required.

28 Second, many of the specific clarification questions posed by Plaintiff seeks information


that cannot be provided by the Court. Indeed, Plaintiff's request appears to be more in line with a request for legal advice, which the Court cannot give. Plaintiff may wish to contact the Federal Pro Se Program, a free program that offers limited legal services and advice to parties who are representing themselves. The Federal Pro Se Program has offices in two locations, listed below. Help is provided by appointment and on a drop-in basis. Parties may make appointments by calling the program's staff attorney, Mr. Kevin Knestrick, at 408-297-1480. Additional information regarding the Federal Pro Se Program is available at <http://cand.uscourts.gov/helpcentersj>.

Federal Pro Se Program  
 United States Courthouse  
 280 South 1st Street  
 2nd Floor, Room 2070  
 San Jose, CA 95113  
 Monday to Thursday 1:00 pm – 4:00 pm  
 Fridays by appointment only

Federal Pro Se Program  
 The Law Foundation of Silicon Valley  
 152 North 3rd Street  
 3rd Floor  
 San Jose, CA 95112  
 Monday to Thursday 9:00 am – 12:00 pm  
 Fridays by appointment only

**IT IS SO ORDERED.**

Dated: January 18, 2017

  
 BETH LABSON FREEMAN  
 United States District Judge

United States District Court  
 Northern District of California